

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHANDRICA NICOLE CLARKE,

: Plaintiff,

ORDER

-v.-

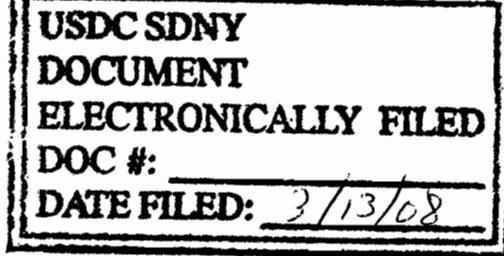
07 Civ. 8833(RJH)(FM)

SUPERINTENDENT CATHERINE A.
COOK, et al.,

: Defendants.

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FRANK MAAS, United States Magistrate Judge.

A review of the Court's docket sheet indicates that the complaint in this action was filed on October 15, 2007, but there is no proof of service of the summons and complaint on file. I further am advised by the Marshal's Service that plaintiff has not returned the documentation necessary to effect service. As the original summons was issued on October 15, 2007, and expired on February 15, 2008, I direct the Pro Se Office to issue an amended summons in this action. Plaintiff is directed to have the amended summons and complaint promptly served on the defendants. If service is not made or plaintiff fails to show good cause why such service has not been effected by April 21, 2008, the Court will recommend dismissal of this action pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, which provides:



If service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion, or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice, as to that defendant or direct that service be effected within a specified time; provided that if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period.

SO ORDERED.

Dated: New York, New York
March 12, 2008



FRANK MAAS
United States Magistrate Judge

Copies to:

Honorable Richard J. Holwell
United States District Judge

Chandrica N. Clarke
#06-G-0560
Albion Correctional Facility
3595 State School Rd.
Albion, New York 14411

Natalie J. Sobchak
Senior Staff Attorney
Pro Se Office